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**NOTE:** The public portion of the meeting will begin at 10:00 a.m. The City Council may meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

## **OTHER LEGISLATIVE MEETINGS**

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7540.

ITEM-300: ROLL CALL.

## NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

**COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT**

**REQUEST FOR CONTINUANCE**

The Council will now consider requests to continue specific items.

**=== LEGISLATIVE SCHEDULE ===**

Adoption Agenda, Discussion, Other Legislative Items

ITEM-330: Dakota Canyon Accelerated Sewer Replacement and Rehabilitation Project. (Clairemont Community Area. District 6.)  
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-331: Acquisition of 4310 Dawson Street and \$2,372,000 Loan and Leaseback with Housing Development Partners of San Diego to Develop 52<sup>nd</sup> Street Senior Apartments. (City Heights (Kensington-Talmadge) within Mid-City Community Area. District 7.)  
SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:  
Adopt the resolution.

Noticed Hearings, Discussion

ITEM-332: Two actions related to a Street and Easement Vacation - Carmel Valley Road. (Carmel Valley Community Plan Area. District 1.)  
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

ITEM-333: Two actions related to Multifamily Revenue Bonds for Sycamore Estates Apartments. (District 7.)  
SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:  
Adopt the resolutions.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

**=== EXPANDED CITY COUNCIL AGENDA ===**

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**

**RESOLUTIONS:**

ITEM-330: Dakota Canyon Accelerated Sewer Replacement and Rehabilitation Project.

(Clairemont Community Area. District 6.)

(Continued from the meeting of January 31, 2005, Item 109, at the request of Councilmember Frye, for further review.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2005-527)

Authorizing the City Manager, or designee, to expend an amount not to exceed \$120,000 from Fund No. 41506, CIP-46-206.0, Annual Allocation-Accelerated Projects, for the acquisition, appraisal, title, escrow, city staff labor charges, and miscellaneous costs of the acquisition of property rights required for the Dakota Canyon Sewer Replacement project, provided that the City Auditor and Comptroller first furnishes a certificate certifying that funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Manager, or his designee, to execute, for and on behalf of the City of San Diego, quitclaim deeds, conveying all the City's right, title, and interest in the unneeded easements in those portions of Lot 7, Eureka Lemon Tract, Map 753, filed May 19, 1953; Lots 1 and 2, Bowman's Terrace, Map 3295, filed September 7, 1955; and Lots 17 and 18, Padre Glen, Map 6977, filed July 8, 1977. Execution and recordation of the quitclaim deeds shall only occur following the filing of the Notice of Completion for the Dakota Canyon Accelerated Sewer Replacement and Rehabilitation Project, CIP-46-611.0;

Stating for the record that the final Mitigated Negative Declaration, Project No. 7055, has been reviewed and considered prior to approving the project; and that it directs the City Clerk to file a Notice of Determination.

**CITY MANAGER SUPPORTING INFORMATION:**

The Dakota Canyon Accelerated Sewer Replacement and Rehabilitation Project is a part of the City of San Diego's on-going program to rehabilitate, upgrade, and/or relocate sewers that are in canyons. The subject sewer is located in the bottom of a streambed in Dakota Canyon, and due to its location, it is difficult to access for maintenance.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-330: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

Also, due to severe erosion in the streambed, the pipe has been exposed and emergency repairs have been required by City crews to prevent sewage from entering the natural storm drain system. This project will relocate the pipe out of the streambed, and place it in a new alignment higher up the slope, thereby eliminating the hazards caused by the on-going erosion. In addition, it will solve the access problem by providing an 8-foot-wide access path for maintenance purposes, with ingress and egress to come from the Erie Street dedicated right-of-way. Project construction will consist of the installation of approximately 695 linear feet of new 8-inch sewer main, and the rehabilitation of 520 linear feet of existing 8-inch sewer main. Once the new sewer main is put into service, 1,310 linear feet of existing 51-year-old, 8-inch sewer main will be physically abandoned, with all piping, which is currently exposed to be completely removed from the canyon area. The easement rights related to this section of sewer line are to be abandoned and reconveyed by the City to the respective property owners, through the execution and recordation of quitclaim deeds.

This action will allow for the authorization of funds to acquire the easement rights necessary to complete the project, and it will authorize the quitclaiming and abandonment of the easement rights no longer necessary following project completion.

**FISCAL IMPACT:**

\$120,000 is available in Fund 41506, CIP-46-206.0, Annual Allocation - Accelerated Projects.

Herring/Griffith/SLG

Aud. Cert. 2500574.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-331: Acquisition of 4310 Dawson Street and \$2,372,000 Loan and Leaseback with Housing Development Partners of San Diego to Develop 52<sup>nd</sup> Street Senior Apartments.

(See San Diego Housing Commission Report HCR-05-03. City Heights (Kensington-Talmadge) within Mid-City Community Area. District 7.)

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolution:

(R-2005-750)

Approving a Grant of \$1,825,000 (to include \$25,000 in closing cost) of Home Program funds to the San Diego Housing Commission to be used by the San Diego Housing Commission to purchase the property located at 4310 Dawson Street from Larry G. Mabee and Philip A. Ward;

Directing the City Manager to award the \$1,825,000 grant of Home Program funds to the San Diego Housing Commission per the terms and conditions as outlined in Commission Report HCR-05-03, and to enter into a grant agreement for the award substantially in the form attached as Exhibit A and subject to the review and approval of the City Attorney.

**ADOPTION AGENDA, DISCUSSION, HEARINGS**

**NOTICED HEARINGS:**

ITEM-332: Two actions related to a Street and Easement Vacation - Carmel Valley Road.

(Carmel Valley Community Plan Area. District 1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2005-666)

Vacating a portion of Carmel Mountain Road.

Subitem-B: (R-2005-668)

Vacating the drainage easement located within the Northeast quarter, Northwest quarter, Southwest quarter, Southeast quarter of Section 29, Township 14 South, Range 3 West.

**CITY MANAGER SUPPORTING INFORMATION:**

The portion of Carmel Valley Road right-of-way proposed to be vacated are excess side strips originally intended for an additional traffic lane that would be used for a right turn pocket and for a transition in street width. The drainage easement vacation is part of a related revision of a drainage system.

Currently, Carmel Valley Road at this location is 114 feet wide. The street that required the right turn pocket was eliminated from the final design of Carmel Valley Road. Eliminating the need for the additional lane reduces the required street width. In addition, a change in the street design shortens the distance of a transition in width of right-of-way. The extra right-of-way included in the transition in width is not within the portion of street proposed to be vacated. The design changes have been approved and the street is in construction. A reduced street width of 98 feet is needed after these design changes and will be the street width upon vacation of the excess side strips.

On September 14, 2004, the Carmel Valley Community Planning Board unanimously recommended approval of the street and easement vacation as long as the revised drainage system does not disturb environmentally sensitive areas. The revised storm drain system is in the same area as was originally approved and therefore will not disturb any areas that were previously approved for disturbance. The conditions of approval of the drainage construction require restoration of any sensitive areas to natural vegetation. A new drainage easement will be dedicated in the location of the revised drainage system.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-332: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

**FINDINGS:** Staff review has indicated that the right-of-way may be vacated and that the four required findings for vacation can be made.

1. That there is no prospective use for the easement or right-of-way; either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated – The right-of-way side strips are not needed for the street design. The revised drainage system is not located in the present drainage easement.
2. That the public will benefit from the action through improved utilization of land made possible by the street vacation – The property owners can utilize the vacated area. The City of San Diego will no longer be responsible for the maintenance of the excess street width and can use of savings for other street improvements and maintenance.
3. That the vacation or abandonment is not inconsistent with the General Plan, an approved Community Plan, or the Local Coastal Program. – The Carmel Valley Community Planning Board's concerns were addressed in the approved plans for this area.
4. That the facility for which the right-of-way as originally acquired will not be detrimentally affected by the street vacation – The reduced width of the street design meets the current design requirements. A new drainage easement will be placed over the revised drainage system.

**FISCAL IMPACT:**

None. All costs are paid by the applicant.

**DEVELOPMENT SERVICES DEPARTMENT RECOMMENDATION:**

Approval of this request.

Loveland/Brought/AKW

**NOTE:** This project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).



ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: Two actions related to Multifamily Revenue Bonds for Sycamore Estates Apartments.

(See memorandum from Peter Armstrong dated 01/04/2005 and San Diego Housing Commission Report HCR04-98. District 7.)

(Continued from the meeting of January 25, 2005, Item 338, at the request of the City Attorney, for further review.)

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2005-704)

Approving the issuance of Bonds by the Housing Authority of the City of San Diego for the Sycamore Estates Apartments Project, pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Subitem-B: (R-2005-721)

Stating for the record that the information contained in the final Environmental Impact Report LDR No. 99-1094, including any comments received during the public review process, has been previously reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline Section 15162 would warrant any additional environmental review in connection with approval of the issuance of Bonds for Sycamore Estates Apartments project;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

**NOTE:** See the Housing Authority Agenda of February 15, 2005, for a companion item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT